

**United Nations
Environment
Programme**Distr.
GENERALUNEP/HLC/2/INF/3
17 October 1997

ENGLISH ONLY

HIGH-LEVEL COMMITTEE OF
MINISTERS AND OFFICIALS
Second meeting
Nairobi, 17-18 November 1997

IMPLICATIONS OF THE OUTCOME OF THE SPECIAL SESSION OF
THE GENERAL ASSEMBLY FOR THE FUTURE WORK OF THE
UNITED NATIONS ENVIRONMENT PROGRAMME

Note by the Executive Director

INTRODUCTION

1. The special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21 was held in New York from 23 to 27 June 1997. A significant number of heads of State or Government as well as ministers of environment were present during the session. In its resolution 51/181 of 16 December 1996, the General Assembly decided that the Commission on Sustainable Development at its fifth session, held from 8 to 25 April 1997, as well as the Commission's Ad Hoc Open-ended Inter-sessional Working Group, held from 24 February to 7 March 1997, would be devoted to the preparations of the special session.

2. The special session adopted a political declaration, 1/ representing a renewal of political commitment to sustainable development at the highest political level. It acknowledged that a number of positive results had been achieved in several social, economic and environmental components of sustainable development since Rio. Some progress had been made in terms of institutional development, international consensus-building, public participation and private sector actions, and in curbing pollution and slowing the rate of resource degradation.

1/ Editor's note: At the time of preparation of this note, the final versions of the political statement and the final document of the special session were not yet available and references and quotations, accordingly, are taken from the advance unedited text.

Na.97-2590

201097

211097

/...

3. It emphasized that, given the accelerating pace of the globalization process, the persistence of poverty, unemployment and violent conflicts, the growing gap between developed and most developing countries, and the continued deterioration of the environment, the comprehensive implementation of Agenda 21 as a programme of action for achieving sustainable development worldwide remained vitally important and was even more urgent now than ever. It reaffirmed that all the principles contained in the Rio Declaration on Environment and Development, in Agenda 21 and in the Forest Principles continued to guide the international community in this comprehensive implementation.

4. The political declaration confirmed the role of the Commission on Sustainable Development as a central forum within the United Nations system for the integration of economic, social and environmental dimensions of sustainability. It also reaffirmed the United Nations Environment Programme (UNEP) as the principal United Nations body in the field of environment and pledged to strengthen its standing and to reform it to become the leading authority in that field.

I. INTERNATIONAL INSTITUTIONAL ARRANGEMENTS

5. Section D of the final document of the special session, 1/ concerning international institutional arrangements, is of particular relevance to the High-level Committee of Ministers and Officials. In it, the General Assembly reconfirmed the role and mandate of UNEP as a leading environmental agency in the United Nations system. The specific issues of direct interest to the Committee are contained in paragraphs outlining, first, the role and mandate of UNEP; second, relations with the conventions signed at Rio or as a result of the United Nations Conference on the Environment and Development; and, third, the division of work with the Commission on Sustainable Development.

6. According to the final document, the General Assembly at its special session reconfirmed the role of UNEP as the principal United Nations body in the field of environment, in conformity with Agenda 21 and the Nairobi Declaration, stating: "UNEP is to be the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system, and serves as an authoritative advocate for the global environment". In addition, the Assembly took note of Governing Council decision 19/32 of 4 of April concerning governance. It also underlined that the revitalized UNEP should be supported by adequate, stable and predictable funding.

7. As far as the international conventions are concerned, the General Assembly noted that "at the international and national levels there is a need for, inter alia, better scientific assessment of ecological linkages between the conventions; identifications of programmes that have multiple benefits; and enhanced public awareness-raising for the conventions. Such tasks should be undertaken by UNEP in accordance with the relevant decisions of the Governing Council and in full cooperation with the conferences of parties to and governing bodies of relevant conventions". The General Assembly also recommended that "the role of UNEP in further development of international environmental law should be strengthened, including the development of

coherent interlinkages among relevant environmental conventions in cooperation with their respective Conferences of the Parties or governing bodies. In performing its functions related to Conventions signed at Rio or as a result of it and other relevant conventions, UNEP should strive to promote the effective implementation of these conventions in a manner consistent with their provisions of the respective conventions and the decisions of their respective Conferences of Parties."

8. The Assembly also drew attention to the relationship between UNEP and the Commission on Sustainable Development and recommended that UNEP should continue providing effective support to the Commission, inter alia, in the form of scientific, technical and policy information, analysis and advice on global environmental issues. On the other hand, the Commission, while conducting high-level policy debate aimed at consensus-building on sustainable development, should continue to complement and provide interlinkages to the work of other United Nations agencies and bodies acting in the field of sustainable development. The Commission should promote policies that integrate economic, social and environmental dimensions of sustainability and should provide for integrated consideration of linkages both among sectors and between sectoral and cross-sectoral aspects of Agenda 21.

9. The High-Level Committee may wish to consider necessary actions to be undertaken to respond to the recommendations of the General Assembly, including the implementation of the Nairobi Declaration and the recommendation of the Assembly concerning the role of UNEP.

10. Such actions could include consideration of the role of UNEP as the leading global environmental authority and agenda-setter, including its normative and analytical functions, as envisaged by the Assembly at its special session and by the Governing Council in the Nairobi Declaration. The Committee could also consider modalities for the strengthening of UNEP, to ensure that it can play this role effectively, including consideration of the financial resources necessary for this purpose. The Committee may also wish to identify specific aspects of the newly focused role and mandate at subsequent meetings in the context of the strengthening of UNEP. These aspects could include the relationship of UNEP with environmental conventions and the scientific assessment of interlinkages between Conventions, as highlighted by the Assembly in section D of the final document: "International institutional arrangements".

11. In reviewing the outcome of the special session as it relates to programme areas in which UNEP is mandated to act, the Committee may wish to note that the 1998-1999 biennial programme of work adopted by the Governing Council at its nineteenth session largely includes all relevant programme areas identified by the General Assembly.

II. ISSUES IN CONNECTION WITH WHICH SPECIFIC MENTION IS MADE OF UNEP

12. Although a general understanding was reached among Member States that specific United Nations agencies and programmes would not be mentioned in the areas requiring urgent action, some paragraphs of the final document underline the role of UNEP, in particular with regard to:

- (a) Trade and environment;
- (b) Negotiations on an international legally binding instrument on prior informed consent (PIC) and on persistent organic pollutants (POPs), in the section concerning toxic chemicals;
- (c) Cooperation among the implementing agencies of the Global Environment Facility (GEF);
- (d) Cooperation among various agencies for the creation of centres for the transfer of technology;
- (e) Cooperation with the Commission on Sustainable Development on the implementation and application of the principles contained in the Rio Declaration.

III. ASSESSMENT OF PROGRESS SINCE RIO

13. The assessment of progress made since the United Nations Conference on Environment and Development, and, in particular, with regard to the environmental component of sustainable development, is largely based on the findings of the UNEP Global Environment Outlook series, in which attention is drawn to the deterioration of the global environment. This section of the final document also analyses institutional achievements following Rio and efforts made by national Governments and international organizations to integrate environmental, economic and social objectives into decision-making processes, as well as the role played by major groups since the Rio Conference. The document makes a critical assessment of progress in the implementation of the Rio commitments, in particular, with regard to the means of their implementation.

IV. AREAS REQUIRING URGENT ACTION

14. Section C, on implementation in areas requiring urgent action, is of direct relevance to future priorities in the UNEP work programme. The programme priorities agreed by the Governing Council of UNEP at its nineteenth session for the 1998-1999 Environment Fund programme illustrate that, while all relevant programme areas are included, the High-level Committee of Ministers and Officials might identify areas where additional resources may be required to respond to the decisions of the General Assembly.

A. Cross-sectoral issues

15. The integration of economic, social and environmental objectives relates, inter alia, to the issue of changing consumption and production patterns, which is one of the principal environmental challenges identified in the UNEP work programme for 1996-1997. The final document reconfirms the findings of Agenda 21 that unsustainable patterns of production and consumption constitute a major cause of the continued deterioration of the global environment. The document lists eco-efficiency, cost internalization

/...

and product policies among the tools which can make consumption and production patterns more sustainable. Several actions recommended in that area are already being undertaken by UNEP, particularly in the cleaner production programme and its work with the industrial community.

16. In its decision on ways of making trade and environment mutually supportive, the final document recognizes that cooperation and coordination between the United Nations Conference on Trade and Development (UNCTAD), the United Nations Industrial Development Organization (UNIDO), the World Trade Organization (WTO), UNEP and other relevant institutions should be strengthened on various issues. UNEP is committed to playing a more active role in that area, in order to enhance the environmental dimension of the trade discussions.

17. The High-level Committee of Ministers and Officials may wish to analyse the implications of those recommendations of the special session on cross-sectoral issues in order to ensure that their respective priority is more appropriately reflected in the UNEP programme of work.

B. Sectoral issues

18. A large number of sectoral issues discussed in the final document fall directly within the work programme of UNEP. Although UNEP is not specifically mentioned in the text, the following sectoral issues identified by the General Assembly, in line with the provisions of Agenda 21, can be considered as main priorities for the UNEP work programme: fresh water, oceans and seas, toxic chemicals, hazardous wastes, desertification and drought, and biological diversity. Additionally, energy and sustainable tourism are identified as new priorities (Agenda 21 does not contain separate chapters on those issues). These are addressed in UNEP largely within the sustainable production and consumption programme. The involvement of UNEP in other priority areas identified by the special session, such as atmosphere, transport, radioactive waste, land and sustainable agriculture and natural disasters is limited in scope, because of the increased focus of the programme and financial constraints. The Committee may wish to assess the adequacy of budget appropriations as approved by the Governing Council at its nineteenth session, in the light of the recommendations of the special session.

19. The final document attaches considerable importance to the areas of fresh water and oceans and seas. The Assembly agreed, inter alia, that regional and international cooperation for technology transfer and financing of integrated water resource programmes and projects should be strengthened. Water should be recognized as a social and economic good and its economic valuation should be seen in an economic and social context. The capabilities of Governments, as well as of the international institutions, to collect and manage information to facilitate the integrated assessment and management of water resources should be strengthened. The Assembly also called for a dialogue under the auspices of the Commission on Sustainable Development, beginning at its sixth session, aimed at building consensus on the necessary actions to initiate a strategic approach for the implementation of all

aspects of the sustainable use of fresh water for social and economic purposes, including, inter alia, safe drinking water and sanitation, water for irrigation, recycling and waste water management, and the important role played by fresh water in natural ecosystems.

20. Given its mandate and expertise in addressing water issues at regional and subregional levels, as well as its scientific and technical capabilities and mandate in that area, UNEP is in a position to play a significant role in providing the environmental dimension of that discussion, under the auspices of the Commission on Sustainable Development. The integrated approach taken by UNEP to water issues provides an important perspective in that process.

21. In its discussion of the issue of oceans and seas, the final document emphasizes, inter alia, the need for the improvement of quality and quantity of scientific data as a basis for effective decisions related to the protection of the marine environment and the conservation and management of marine living resources.

22. The High-level Committee of Ministers and Officials may wish to consider modalities for the strengthening of UNEP capacities related to water issues, given the prominence which these have been accorded by the special session.

23. In its consideration of the issues of toxic chemicals, hazardous wastes, biological diversity and desertification and drought, the final document encourages the further development of the efforts already undertaken by the international community in those areas. Additionally, the document recommends the rapid completion of the biosafety protocol under the Convention on Biological Diversity, on the understanding that the UNEP International Guidelines for Safety in Biotechnology may be used as an interim mechanism during its development.

24. The High-level Committee of Ministers and Officials may wish to reflect upon two priority areas discussed in the final document which were not directly addressed in Agenda 21 and in which UNEP has been active for some time. These are energy and sustainable tourism.

25. On the issue of energy, the High-level Committee of Ministers and Officials may wish to consider the response of UNEP to that priority area and to make relevant recommendations concerning the development of a clearing-house mechanism under the United Nations Framework Convention on Climate Change, while building on UNEP expertise in the Cleaner Production and OzonAction initiatives. The development and establishment of such a clearing-house mechanism would necessitate the commitment of additional human and financial resources.

26. The Commission on Sustainable Development was requested to develop an action-oriented international programme of work on sustainable tourism in cooperation with a number of international bodies, including UNEP. The High-level Committee of Ministers and Officials may wish to note that, if furnished with the necessary legislative authority and adequate resources, UNEP would be in a position to strengthen its awareness-building programme in this area, to develop and promote technical and policy guidelines and to

undertake relevant capacity-building initiatives, thus assisting in making tourism more sustainable. Strengthening of UNEP activities in this area would have additional financial implications.

V. MEANS OF IMPLEMENTATION

27. The consideration, in the final document, of means of implementation and, in particular, its paragraphs dealing with transfer of environmentally sound technologies, are of direct relevance to the UNEP work programme. Specific mention is made of UNEP in the paragraph concerning the creation of centres for the transfer of technology at various levels. Relevant United Nations bodies, including UNEP, are encouraged to cooperate in efforts to facilitate that task. The further enhancement of global electronic information and telecommunication networks, so as to enable countries to choose among the available technological options is also recommended. In addition, the final document recommends that increased efforts be made to strengthen scientific evidence related, inter alia, to the environment and sustainable development and to make this evidence accessible to developing countries, and also recommends increased efforts to build scientific and technological capacity in those countries.

28. The High-level Committee of Ministers and Officials may wish to reflect upon the further strengthening of the potential of UNEP in environmental information dissemination, including through electronic means, in the light of the recommendations of the special session.
